

82-00098  
OFFICE OF THE ATTORNEY GENERAL



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Mr. Richard D. Martin  
Treasurer  
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Municipalities -- Retirement  
Systems -- County Employees --  
Conflict of Interest

There is no statutory  
conflict of interest  
generally when the City  
Attorney or his assistants  
represent the Board of  
Managers of the General  
Retirement and Relief System

Dear Mr. Martin:

The opinion request of the General Retirement and Relief System of the City of Birmingham has been received in the Office of the Attorney General. Your request presents the following question:

Does a conflict of interests arise when the City Attorney of the City of Birmingham (or one of his assistants) represents and/or advises the Board of Managers of the General Retirement and Relief System of the City of Birmingham on legal matters?

Mr. Richard D. Martin  
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We have reviewed those statutes under which a municipal conflict of interest might arise and find none applicable to your general question as presented.

It is, therefore, the opinion of this office that there is no statutory conflict of interest generally when the City Attorney of the City of Birmingham or one of his assistants represents and/or advises the Board of Managers of the General Retirement and Relief System of the City of Birmingham on legal matters.

It is noted that you have received an advisory opinion on this matter from the State Ethics Commission. You may wish to consult the Alabama State Bar. In addition, there could be a specific set of facts under which the interests of each "client" could conflict, but such a determination would have to be made on a case by case basis.

I do hope that this response fully answers your question. If, however, we may be of further service, please do not hesitate to contact us.

Sincerely yours,

CHARLES A. GRADDICK  
Attorney General

By--



CAROL JEAN SMITH  
Assistant Attorney General

CJS:es